

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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PEDRO VEGA,

Plaintiff,

v.

DANIEL W. HATFIELD, et al.,

Defendants.

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DECISION & ORDER

09-CV-6346G

On July 9, 2009, *pro se* plaintiff Pedro Vega (“Vega”) filed this lawsuit against the New York State Department of Corrections<sup>1</sup> and various individual corrections officers (“defendants”) alleging constitutional and state law claims arising from an incident that occurred on January 8, 2007, during which the defendants allegedly assaulted Vega. (Docket # 1). On June 13, 2013, defendants filed a motion to compel discovery. (Docket # 44).

Defendants seek to compel Vega to provide authorizations to permit them to obtain his medical, dental and mental health records from January 1, 2005 to January 1, 2007. (Docket # 44-2 at 3). On July 11, 2013, Vega filed a response to the motion indicating that he did not oppose the motion, but requested that any order compelling him to provide authorizations be limited in scope to records dated no more than three years prior to January 8, 2007, the date of the incident alleged in the complaint. (Docket # 46 at 1). Accordingly, defendants’ motion to compel is granted on the grounds that it is unopposed, and Vega is directed to provide to counsel for defendants authorizations to obtain his medical, dental and mental health records from January 1, 2005 to January 1, 2007.

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<sup>1</sup> The New York State Department of Corrections has been dismissed from this case. (Docket # 31).

**CONCLUSION**

Accordingly, defendants' motion to compel (**Docket # 44**) is **GRANTED**.

Defendants are directed to provide Vega with authorizations consistent with this Order by no later than **March 14, 2014**, and Vega is directed to complete and return the authorizations to defendants by no later than **March 24, 2014**.

**IT IS SO ORDERED.**

*s/Marian W. Payson*

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MARIAN W. PAYSON  
United States Magistrate Judge

Dated: Rochester, New York  
February 28, 2014